May 26, 2013

Dear Sirs,

It has come to my attention that you are providing large numbers of links to the websites giganews.com and usenet.net, each of which infringes tens of thousands of my company's copyrighted images. To the best of my knowledge, they infringe the same images. At the beginning of this notice, I have attached one page of links that yandex.com provides to giganews.com, and one page of links that yandex.com provides to usenet.net. All of the links identified on those pages lead to infringing activity. Once one clicks on a particular link, one would need to pay a fee to subscribe to either website. Once that fee was paid, and the user also paid for the use of a "newsreader," they would then be able to download the same infringing Perfect 10 images from either website.

I obtained all the images in this notice as follows: On May 26, 2013, I did a search using Giganews' Mimo Newsreader on "Marisa Miller P10" (see the term in the browser bar on page 5). I obtained the sequence of infringing messages as shown on pages 5-6 from giganews.com. I then used Giganews' Mimo Newsreader to download the infringing images contained in those messages to my computer, removed duplicates, and printed the resulting full-size infringing images out as thumbnails shown on pages 7-8. All of the images shown on pages 7-8 of this notice infringe Perfect 10's copyrights.

At the end of the notice, I have attached authorized copies of most if not all of the identified images.

Please stop providing links to giganews.com or usenet.net, which I view as an act of contributory copyright infringement.

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I have a good faith belief that the use of the Perfect 10 copyrighted material in the manner

complained of in this email is not authorized by the copyright holder Perfect 10, its agent, or

the law. The information in this notification is accurate. I swear under penalty of perjury that I

am authorized to act on behalf of Perfect 10, Inc. the owner of the exclusive rights in the

material which is being infringed.

Please contact me if you have any questions at all about this notice or need help locating the

infringing material. If I do not hear from you within five days, I will assume that you believe

that this notice is compliant under the DMCA.

Sincerely,

s /Norm Zada, Ph.D./

Norm Zada, Ph.D.

310-476-0700

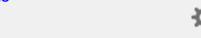
Fax: 310-476-8138

Normanz@earthlink.net

P.O. Box 3398, Beverly Hills, CA 90212

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site:giganews.com





Images









giganews.com

Personal newsgroups accounts and ISP Usenet outsourcing with news servers in Europe and North America. Headers not included in download quota, and text articles never expire.

Usenet Performance Tools - Giganews

giganews.com > performance.html

All authentication and commands are also encrypted, whether or not you have a Giganews SSL-enabled account, which allows you to help improve security avoid traffic shaping.





New Search on Yandex Islands

Giganews Sponsors Backend Infrastructure for Mozilla Foundation's

giganews.com > news/article/mozilla.html

Jonah Yokubaitis, CEO of Giganews, says, "The Giganews and Mozilla partnership is a natural fit and we're glad to offer this free service to their valued developer network.

19 January 2006

Usenet Newsgroups History - Giganews

giganews.com > usenet-history/

We at Giganews have recently had the opportunity to discuss the creation and evolution of Usenet with the people who developed, maintained, and made significant contributions to the Usenet culture.

Support & FAQ

giganews.com > support/

Giganews support answers frequently asked questions on topics for Usenet, VyprVPN, Dump Truck Online Storage and Mimo Usenet Browser + Search.

<u>Giganews Offers Discounts and Improved Services for AT&T Customers</u>

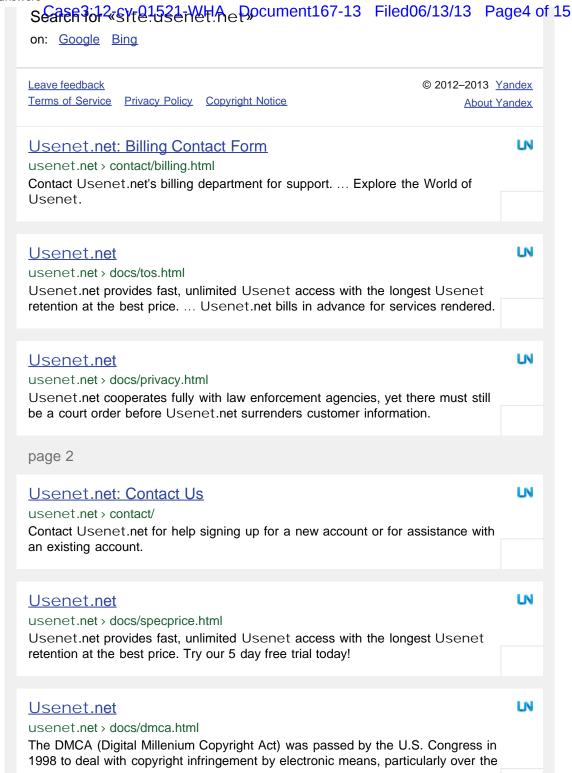


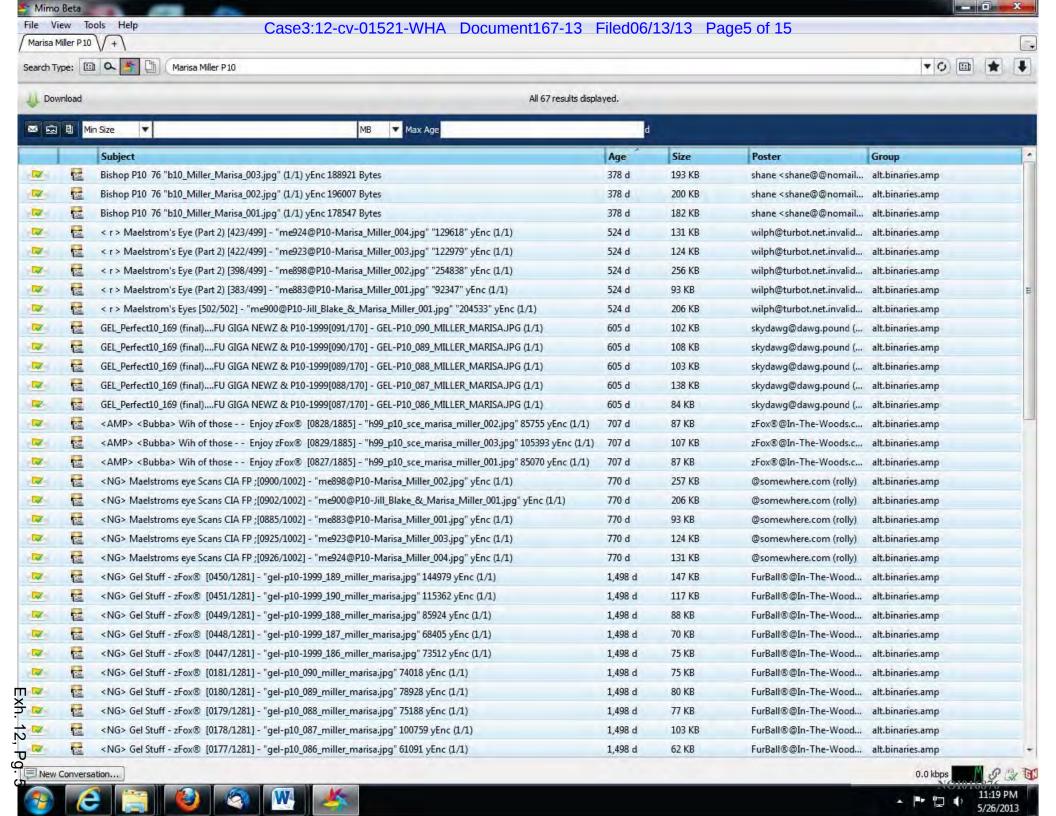
GN

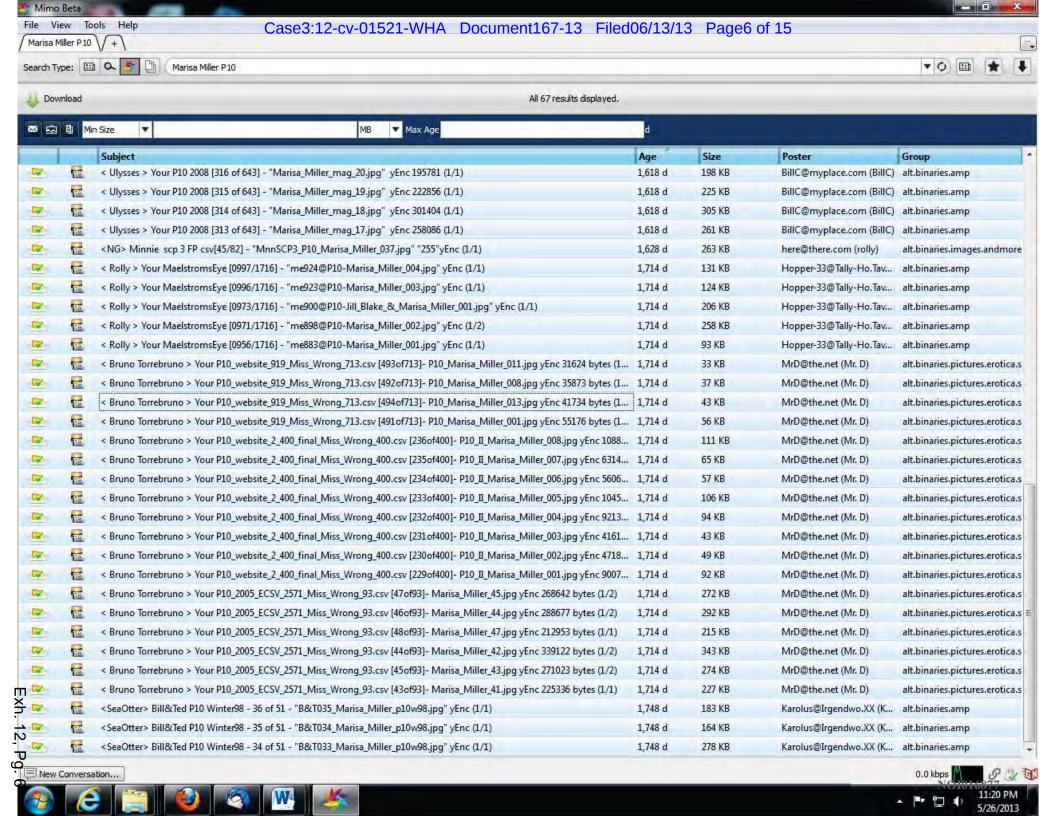
GN

GN

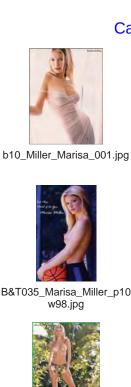
NOI016874







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b10_Miller_Marisa_002.jpg



b10_Miller_Marisa_003.jpg



B&T033_Marisa_Miller_p10 w98.jpg



B&T034_Marisa_Miller_p10 w98.jpg

B&T035_Marisa_Miller_p10



Cos_P10_114_Marisa_Miller _1.JPG



gel-p10-1999_186_miller_marisa.jpg



gel-p10-1999_187_miller_marisa.jpg



gel-p10-1999_188_miller_marisa.jpg



gel-p10-1999_189_miller_marisa.jpg



gel-p10-1999_190_miller_marisa.jpg



gel-p10_086_miller_marisa.jpg



p10_087_miller_marisa.jpg



GEL-P10_088_MILLER_MARIS...



gelp10_089_miller_marisa.jpg



GEL-P10_090_MILLER_MARIS...



h99_p10_sce_marisa_miller _001.jpg



h99_p10_sce_marisa_miller _002.jpg



Marisa_Miller_41.jpg



Marisa_Miller_42.jpg



Marisa_Miller_43.jpg



Marisa_Miller_44.jpg



Marisa_Miller_45.jpg



Marisa_Miller_47.jpg



Marisa_Miller_mag_17.jpg



Marisa_Miller_mag_18.jpg



Marisa_Miller_mag_19.jpg



Marisa_Miller_mag_20.jpg



Marisa_Miller_mag_21.jpg



Marisa_Miller_mag_22.jpg



Marisa_Miller_mag_23.jpg



Marisa_Miller_mag_24.jpg



me883@P10-Marisa_Miller_001.jpg



me898@P10-Marisa_Miller_002.jpg

NOI016878 Exh. 12, Pg. 7

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me900@P10-Jill_Blake_&_Marisa_Mille...



me923@P10-Marisa_Miller_003.jpg



me924@P10-Marisa_Miller_004.jpg



MnnSCP3_P10_Marisa_Mill er_037.jpg



P10_II_Marisa_Miller_001.jp



P10_II_Marisa_Miller_002.jp



P10_II_Marisa_Miller_003.jp



P10_II_Marisa_Miller_004.jp g



P10_II_Marisa_Miller_005.jp



P10_II_Marisa_Miller_006.jp



P10_II_Marisa_Miller_007.jp



P10_II_Marisa_Miller_008.jp



P10_Marisa_Miller_001.jpg



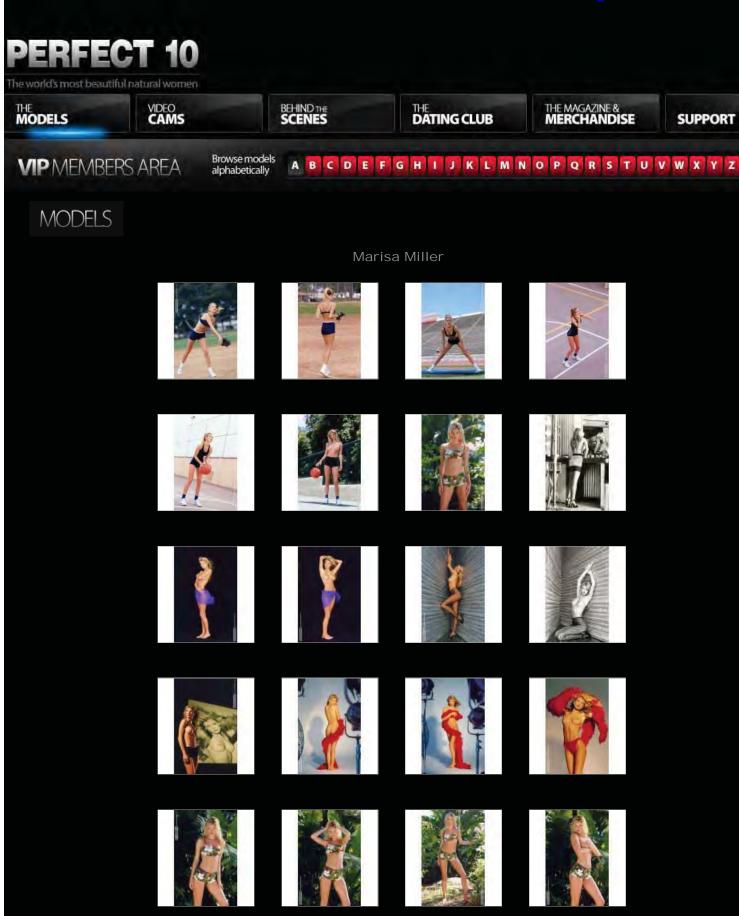
P10_Marisa_Miller_008.jpg



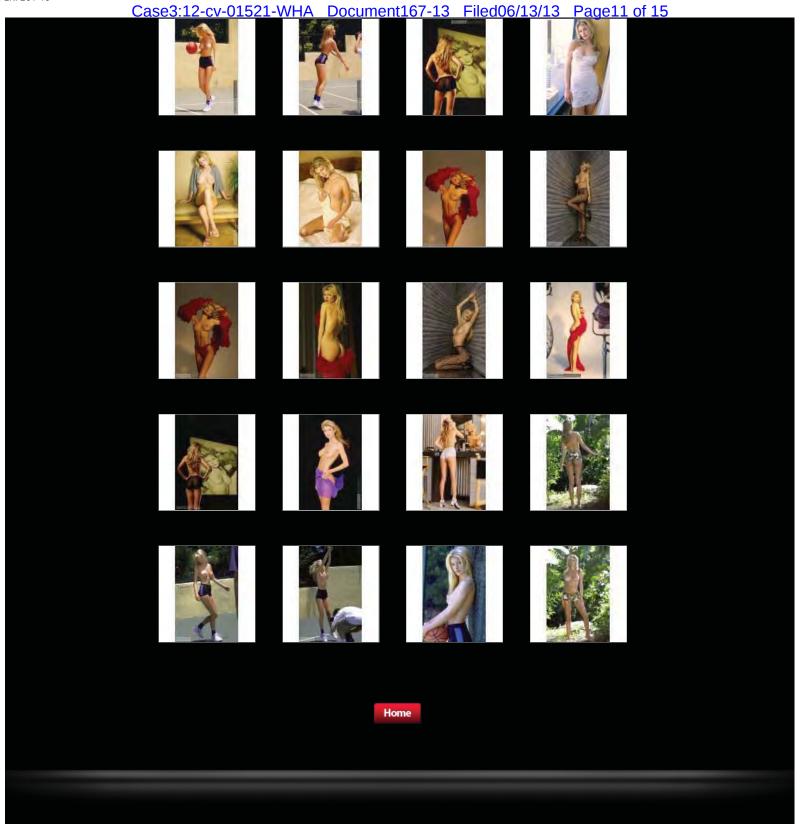
P10_Marisa_Miller_011.jpg



P10_Marisa_Miller_013.jpg



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Subject: DMCA Notice

From: Norman Z <normanz@earthlink.net>

Date: 5/26/2013 11:41 PM

To: copyright@yandex-team.ru, "Yandex.Abuse" <abuse@yandex.ru>, Arkady Borkovsky

<arkady@yandex-team.ru>

BCC: Melanie Poblete <melanie@perfect10.com>

Dear Sirs,

Attached please find a Perfect 10 DMCA notice.

Please contact me if you have any questions.

Sincerely,

Norm Zada, Ph.D.

310-476-0700

-Attachments:

DMCA Notice Marisa Miller 5 26 2013.pdf

1.2 MB

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Subject: Re: [Ticket#13052710433333523] DMCA Notice

From: Yandex.com Support <copyright-complaint@yandex-team.com>

Date: 5/27/2013 4:42 PM

To: normanz < normanz@earthlink.net>

Hello,

We are in receipt of your emails, dated May 26, 2013, claiming to be copyright infringement notices.

Your notices are deficient, among other reasons, because they fail to identify any Yandex search result that directly links to allegedly infringing content. Indeed, your notices recognize that none of the URLs you have identified are the location of any allegedly infringing material. Instead, your notices appear to be complaining that Yandex links to other subscription-based websites that have their own internal search functions for accessing content behind a paywall. Because your emails do not provide the specific location (like a web page or image URL, for example) of any allegedly infringing material linked to by Yandex, we are unable to take any further action in response to your email.

Your notices are also deficient because they are emails with an accompanying attachment of screenshots, which are unnecessary, insufficient and incompliant with applicable legal requirements and Yandex's policies referenced to below. If you wish to have links to allegedly infringing materials appearing on web search, image search or video search available at http://www.yandex.com domain and subdomains http://images.yandex.com/ and http://video.yandex.com/ blocked, please fill-in online form for copyright infringement notices indicated below.

Please be aware that in order for your notice to be processed in accordance with our policies available at the location referenced to below, you are required to provide the precise and complete textual URL at which the allegedly infringing material is located, in the text of your notice (not as embedded links in an attachment), as well as comply with other requirements specified in the policy. Your notices did not do so, and thus are defective. Please correct this deficiency in any future notices you may send. If you wish to complain about more than one alleged infringement in a notice, please provide the required information (including complete textual URLs) in list form, in the text of your notice.

Our policy with respect to taking down materials allegedly infringing copyright, as well as online form to be filled in for submission of the notices related to search services provided on Yandex.com may be found at: http://feedback2.yandex.com/copyright-complaint/. Alternatively, to submit your notices with respect to search service provided on Yandex.com you may use contact details of the Yandex Europe AG agent to receive notifications of claimed infringement in Terms of Service for http://www.yandex.com available at: http://legal.yandex.com/termsofservice/.

The policy applicable to search services provided on Yandex.ru domain related to taking down materials allegedly infringing copyright and relevant online form may be found at: http://feedback2.yandex.ru/copyright-complaint/. Alternatively, to submit your notices with respect to search services provided on Yandex.ru you may use contact details of the Yandex LLC agent to receive notifications of claimed infringement in Copyright Infringement Policy for http://www.yandex.ru available at: http://legal.yandex.ru /copyright/?lang=en .

Your notices are further inappropriate as they are sent to incorrect email address for receipt of copyright infringement notices as indicated in relevant policy referenced above for Yandex.com. If you would like to submit complaint via email with respect to

Re: [Ticket#13052710433333523] DMCA Notice

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search services provided on Yandex.com please use compright@yandex-team.com email address instead of compright@yandex-team.ru.

Additionally, to ensure the most expeditious processing, please use the webforms referenced above. By submitting your notice via any other means of transmission (such as email, fax or postal mail), you hereby understand and agree that Yandex's processing of same may be substantially delayed, and you further hereby consent without any objection to such slower processing time. Please note that for security reasons, Yandex does not accept emailed notifications that are accompanied by attachments. If you choose to send notices via email, please provide the required information in the body of your email to ensure processing. Please note that sending defective notices with screenshot attachments substantially delays Yandex's processing of those notices, and you further hereby consent without any objection to such slower processing time.

Sincerely yours,

Platon Shukin
Yandex customer support
http://company.yandex.com/

Dear Sirs,

Attached please find a Perfect 10 DMCA notice.

Please contact me if you have any questions.

Sincerely,

Norm Zada, Ph.D.

310-476-0700

YANDEX IMAGE SEARCH AND WEB SEARCH LINKS TO MASSIVELY INFRINGING SITES

Infringing Site	Image Search	Web Search
pokazuha.ru	2,000,000	394,000
ymorno.ru	629,000	33,000
kadets.info	591,000	83,000
skins.be	352,000	229,000
exbii.com	337,000	81,000
pelotka.com	188,000	188,000
fuckyeah.bz	93,000	6,000
nudecelebforum.com	56,000	4,000
ns4w.org	2,000	6,000
giganews.com	196	4,000
phun.org	0	333,000
TOTAL	4,248,196	1,361,000